

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)	
)	
)	No. 3:94-CR-163 & 3:95-CR-2
V.)	(JARVIS/SHIRLEY)
)	
)	
JOHN WESLEY GOSS)	

MEMORANDUM AND ORDER

The defendant appeared for an initial appearance on a Petition for Action on Conditions of Bond on October 26, 2006. Mike Winck, Assistant United States Attorney, was present representing the government and Kim Tollison, Assistant Public Federal Defender, was present representing the defendant. The defendant was also present.

The defendant was previously placed on an Order Setting Conditions of Release on September 20, 2006, pending his revocation hearing. The defendant was placed on the following conditions of release: (1) report in writing before any change in address and telephone number, (2) report as directed, (3) maintain residence at halfway house, (4) refrain from possession of a firearm, and (5) report any contact with law enforcement.

A Petition for Action on Conditions of Bond has been filed by defendant's probation officer on October 25, 2006, stating the following violations: that Defendant Goss was administratively discharged from Hope of East Tennessee Halfway House and will not be considered for readmission. In addition, the defendant is alleged to have taken confidential

paper work of and from the Hope facility and tested positive for cocaine. Finally, the Court agreed to allow the defendant to turn himself in on October 25, 2006, at 2:00 p.m., with regard to an Agreed Order relating to the supervised release revocation matter. When the defendant did not appear at 2:00 p.m. nor by 3:00 p.m., the Court issued the Petition for Action on Conditions of Bond.

At the October 26, 2006 hearing, the defendant and government announced an agreement for defendant to go into custody and not to contest the violations and the Order Setting Conditions of Release. It was also stated that a proposed Agreed Order was to be presented to Judge Jarvis today, which if signed, would obviate the need for a hearing.

Therefore, the Order Setting Conditions of Release is hereby **REVOKED** and the defendant is remanded to the custody of the United States Marshal pending either the resetting of a revocation hearing before the **Honorable James H. Jarvis** or entry of the proposed Agreed Order regarding his supervised release revocation.

IT IS SO ORDERED:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge